

CARLOS M. RAMIREZ
MAYOR

MONICA D. CUNNINGHAM
CHIEF ADMINISTRATIVE OFFICER

ESTRELLA ESCOBAR
EXECUTIVE ASSISTANT TO THE MAYOR

MARK THREADGILL
EXECUTIVE ASSISTANT TO THE MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL JOSEPH ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ELVIA G. HERNANDEZ
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
MAY 1, 2001
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Pro Tem Presi Ortega, Jr. present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Paul Joseph Escobar, Luis G. Sariñana and Elvia G. Hernandez. Absent: Mayor Carlos M. Ramirez. Meeting was called to order and the invocation was given by Pastor Mike Eddy, Life Community Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the following gifts identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's office)

1. One (1) oil on canvas, custom fire screen by artist Tom Lea offered by Bill Burton, Jr. and Family;
2. One (1) untitled etching by artist Donald Judd offered by the Adair Margo Gallery;
3. One (1) gelatin silver print by artist Ida G. Lansky entitled "Cantilevers" offered by Burt and Missy Finger of Photographs Do Not Bend Gallery; and
4. One (1) untitled gelatin silver print by artist Barbara Maples offered by Burt and Missy Finger of Photographs Do Not Bend Gallery.

Motion made by Representative Hernandez, seconded by Representative Cook and unanimously carried to approve the above Resolution.

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Motion made by Representative Escobar, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

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*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of March 20, 2001.
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Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried to excuse Mayor Carlos M. Ramirez from the Regular Council Meeting of May 1, 2001.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT OF SALE TO PURCHASE A PARCEL OF LAND CONSISTING OF 0.905 ACRE, LOCATED AT 4626 ALAMEDA AVENUE AND 103 N. FULLAN STREETS. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS THE NORTH 60 FEET OF LOT 2 AND THE SOUTH 40 FEET OF THE WEST 125 FEET OF LOT 2, AND THE NORTH 50 FEET OF THE WEST 125 FEET OF LOT 3, BLOCK B, HADLOCK ADDITION, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, due to expansion of City of El Paso (City) Zoo facilities and in accordance with the City ten-year master plan, it is necessary to relocate Fire Station Five currently located at Washington Park; and,

WHEREAS, a property has been offered for sale at 4626 Alameda and 103 N. Fullan, across from Thomason Hospital in El Paso, El Paso County, Texas; and,

WHEREAS, the said property is an acceptable location for a new Fire Station Five and the Fire Department has requested the City acquire the property; and,

WHEREAS, City Council finds it is in the public interest and serves a public purpose to acquire the site for use for a fire station; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign, on behalf of the City, a Purchase Agreement to purchase a parcel of land consisting of 0.905 acre of land located at 4626 Alameda Avenue and 103 N. Fullan Streets. Said parcel more particularly described as 39,800 square feet of land, being the North 60 feet of Lot 2 and the South 40 feet of the West 125 feet of Lot 2 and the North 50 feet of the West 125 feet of Lot 3, Block B, Hadlock Addition, El Paso, El Paso County, Texas. The Mayor is further authorized to make any necessary budget transfers and sign any documentation necessary to carry out the purpose of this resolution. The purchase price is \$288,000.00.

Representative Medina explained that Fire Station Number 5 would be relocated due to the expansion of the Zoo. He questioned whether the City owned the land on which the Chico's Tacos restaurant is located. He asked that City staff present him with the plans regarding the Zoo's expansion.

Chief Donald J. Marron, Division Chief Planning El Paso Fire Department, explained that the zoo expansion will necessitate the relocation of Fire Station Number 5. He will supply Representative Medina with a blueprint of the proposed new location of the Fire Station and zoo expansion. Chief Marron explained the design and construction time frame process for Council Members

Mr. Robert Andron, Assistant City Attorney, responded that the City does own the land currently occupied by Chico's Tacos and that the City leases the land on a long-term basis.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that the Fire Department has looked into several locations for the new Fire Station that would enhance their response time and cover the most area. She stated that Texas Department of Transportation and the Alameda Project would involve right-of-way, which is part of this Fire Station.

Motion made by Representative Medina, seconded by Representative Hernandez and unanimously carried to approve the above Resolution.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That under the previously approved allocation of Twenty-sixth (26th) Year (2000-2001) Community Development funds authorized for the acquisition of land for the Borderland Area Street and Drainage Improvements, a 26th Year Community Development Project, the City of El Paso provides its notice of intent to acquire the following parcel:

Parcel 1: Portion of Tract 7B1, El Canutillo survey No.173, consisting of 206,491 square feet more or less.

and authorizes the Mayor to sign any right-of-entry agreements which may be required for the acquisition of this property.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to the Agreement for Appraisal Services dated January 2, 2001, between the City of El Paso and John Stewart dba JOHN'S APPRAISAL SERVICE for the re-appraisal of Parcel 1 of the Borderland Area Street and Drainage Improvements Project, a 26th Year (2000-2001) Community Development Project. The Amendment allows for re-appraisal of the parcel at a cost not to exceed THREE HUNDRED FIFTY AND NO/100THS DOLLARS (\$350.00).

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to the Agreement for Review Appraisal Services dated February 13, 2001, between the City of El Paso and Harold C. Ferguson dba EMPIRE APPRAISAL SERVICE, for the review of the re-appraisal of Parcel 1 of the Borderland Area Street and Drainage Improvements Project, a 26th Year (2000-2001) Community Development Project. The Amendment allows for re-appraisal of the parcel at a cost not to exceed ONE HUNDRED FIFTY AND NO/100THS DOLLARS (\$150.00).

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the First Amendment to Contract between the GREATER EL PASO CHAMBER OF COMMERCE and the CITY OF EL PASO for the period September 1, 2000, through August 31, 2001, whereby the Scope of Services to be performed by the Greater Chamber is expanded to

include development of video promotional materials to market El Paso as a site for relocation of industry and to market the economic development potential of the Airport (including the Air Cargo facilities) and of the Butterfield Trail Industrial Park. For such additional services the City shall pay the Greater Chamber amount equal to one-half (1/2) of the cost of such services, not to exceed \$50,000 (\$25,000 on behalf of the Department of Economic Development and \$25,000 on behalf of the El Paso International Airport). The remaining cost of the additional services shall be borne by the Chamber from other sources, as a match to the payments by the City. The \$50,000 payment contemplated hereunder shall be in addition to the maximum of \$140,000 covering services previously identified in the Scope of Services of the Contract.

Mr. Roberto Franco, Director of Economic Development, requested that this amendment with the Chamber of Commerce be approved. He explained that the Chamber of Commerce would be contracted to develop a professional video for marketing purposes, to be utilized on the Internet highlighting the City of El Paso and quality of life project and to provide copies of the video for industries interested in moving their companies to El Paso. He explained that the Greater El Paso Chamber of Commerce would be investing \$50,000 for the professional VHS, PDF and CD-ROM formatting tools for this project. He added that the Airport will be contributing \$25,000.00 as well as the Economic Development contributing \$25,000.00.

Representative Hernandez questioned the total amount of the project and asked if Mr. Franco could not find any sponsors for this.

Mr. Franco explained the contributions of each of the entities. He stated that the entities wished to expedite the process quickly and provide the materials by the end of August.

Representative Escobar asked if the video would include such sites as Juarez, Ruidoso and Elephant Butte. He added that the video might include skiing in the winter and water recreational sports in the summer and that there are a lot of activities in this area.

Mr. Franco responded that the areas to be considered would be those that are in El Paso, Texas, however, those other sites might be considered, as well as White Sands and others. He added that the Chamber is working with a very qualified individual to produce this tape.

Representative Sariñana questioned the funding from the Airport and if the City had cleared this with the Federal Aviation Administration. He also questioned why the Economic Development Department is utilizing their budget monies for this.

Mr. Franco stated that he had the monies in his advertising budget and reiterated that the entities wanted to do this project as quickly as possible.

Mr. Pat Abeln, Director of Aviation, stated that the video will show specific benefits of the Airport to the industries considering moving their companies to El Paso as well as informing potential companies of the level of air service at the El Paso International Airport which would be a direct benefit to the Airport and better enable the City to market industrial areas of the Airport. He explained that the video would promote the Air Cargo Center and air cargo business, as well as the Butterfield Trail Industrial Park and future industrial park. He stated that there is no problem with the Federal Aviation Administration as the Airport will receive a direct benefit for the dollars spent.

Representative Sumrall questioned whether this video project would go out to bid. Representative Sumrall explained that a company called, Video USA, would make these films and that advertisers would sponsor the video, however, in the video the sponsors advertisement was not so prevalent.

Mr. Tom Thomas, Greater El Paso Chamber of Commerce, responded yes, it would go to bid and other entities would provide footage which has already been filmed. He added that 125 companies visit the City

every year and that this video would be able to show the company presidents and senior executives the highlights of our City. Also, this would give the City an opportunity to really show them the advantages of the quality of life here in El Paso. He explained that Sierra Medical would be contributing \$40,000.00 because they want to recruit doctors and nurses to El Paso and will utilize the film in their recruitment process. Mr. Thomas explained that three years ago his entity produced a video which was sponsored by the El Paso Electric Company; however it is now outdated and that this new film would be much better. He explained that other private companies here in El Paso will pay to have their companies displayed in the video.

Representative Hernandez stated that the Convention and Visitors Bureau also have a video and some of their footage might be utilized in this video, and also recommended that the Convention and Visitors Bureau use their money instead of the Economic Development Department's money. She said she would like to see the bid awarded to a local company.

Mr. Thomas explained that if the other private entities provide an abundance of monies, perhaps the Economic Development Department's monies may be reimbursed.

Motion made by Representative Hernandez, seconded by Representative Medina and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Council designate the United Way as Campaign Manager for the 2001/2002 and 2002/2003 El Paso Combined Charities Campaigns, allowing the United Way to collect and disburse funds on behalf of the participating charities.

Representative Rodriguez questioned why the guidelines were so old and what could the City do to change these guidelines.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that she would ask the United Way to look at the guidelines and that she would contact them this afternoon.

Motion made by Representative Cook, seconded by Representative Hernandez and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the Housing Authority of the City of El Paso for the provision of gasoline and other automotive supplies from four City locations.

Representative Sumrall questioned why the City is providing these services for the Housing Authority. She questioned utilizing taxpayer monies to supplement what the Housing Authority would normally have to put forth. She questioned the large inventory of vehicles and the fact that the cost of fuel is going up.

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Mr. Jeff Belles, Deputy Director of Equipment Maintenance, stated that his Department would bill the Housing Authority accordingly and that the Comptroller Department would be billing the Housing Authority every 30 days.

Representative Medina commented on the pricing of gas, vehicle maintenance and parts per vehicle. He mentioned providing an Interlocal Agreement with the County regarding their fleet maintenance.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that the City could provide a Provision for Default. She explained that the Equipment Maintenance Department is an enterprise fund and that if the Equipment Maintenance Department can provide its services to other governmental entities this is all to the benefit of the Department and the City. She stated that Mr. Bellows does follow a protocol regarding servicing City vehicles first.

Motion made by Representative Medina, seconded by Representative Escobar and carried to approve the above Resolution.

Representative Sumrall voted Nay. Representative Hernandez abstained from the vote.

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Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to postpone one week the Resolution that the Mayor authorize the Purchasing Department of the City of El Paso to advertise to the public the sale of a vacant lot at the 8600 Block of Gateway Boulevard South. That the Mayor authorize the Legal Department of the City of El Paso to obtain an appraisal to establish value.

Representative Medina questioned the size of the lot, when the lot was acquired and the price of the lot, who the real estate company is, what the intentions of the lot are, what are the zoning requirements, etc.

Mr. Robert Andron, Assistant City Attorney, responded to Representative Medina's concerns. He asked the Council Members postpone this item for one week to provide responses to the concerns.

Representative Hernandez commented on other properties owned by the City.

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***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A RIGHT OF ENTRY AND AGREEMENT BETWEEN THE CITY OF EL PASO ACTING ON BEHALF OF ITS WATER UTILITIES PUBLIC SERVICE BOARD, CARLOS ROSAS AND THE SUNSET HEIGHTS NEIGHBORHOOD IMPROVEMENT ASSOCIATION FOR A PROJECT KNOWN AS THE "AGUADEROS" MURAL PROJECT.

WHEREAS, the Association has requested the Artist be allowed to enter onto City property under the jurisdiction and control of the PSB and located at Los Angeles and Cliff Streets to paint a mural entitled the "Aguaderos", hereinafter the "Mural Project", depicting 1882 water services in El Paso; and,

WHEREAS, the City Council by motion made, seconded and passed in Regular session April 24, 2001 approved the mural and authorized City Council Representative Elvia Hernandez to expend \$2,500.00 of her Discretionary Funds to assist in project; and,

WHEREAS, the City finds the wall at the Los Angeles Pump Station at Los Angeles and Cliff Streets in the City is uniquely appropriate for the Mural Project because it is the site of the 1882 water cistern for preserving fresh water for El Paso use; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign a Right of Entry and Agreement between the City, acting on behalf of its Water Utilities Public Service Board, Carlos Rosas and the Sunset Heights Neighborhood Improvement Association for a project known as the "Aguaderos" mural project.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT OF SALE TO PURCHASE A PARCEL OF LAND ADDRESSED AS 4610-4614 ALAMEDA AVENUE. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS THE WEST 120 FEET OF LOT 1, BLOCK B, HADLOCK ADDITION, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, due to expansion of City of El Paso (City) Zoo facilities and in accordance with the City ten-year master plan, it is necessary to relocate Fire Station Five currently located at Washington Park; and,

WHEREAS, a property has been offered for sale addressed as 4610-4614 Alameda across from Thomason Hospital in El Paso, El Paso County, Texas; and,

WHEREAS, the said property when added to another adjacent parcel creates an acceptable location for a new Fire Station Five and the Fire Department has requested the City acquire the property; and,

WHEREAS, City Council finds it is in the public interest and serves a public purpose to acquire the site for use for a fire station; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign, on behalf of the City, a Purchase Agreement to purchase a parcel of land addressed as 4610-4614 Alameda Avenue. Said parcel more particularly described as being the West 120 Feet of Lot 1, Block B, Hadlock Addition, El Paso, El Paso County, Texas. The Mayor is further authorized to make any necessary budget transfers and sign any documentation to carry out the purpose of this resolution. The purchase price is \$114,000.00.

(Please see discussion regarding contract of sale to purchase land located at 4624 Alameda Avenue and 103 N. Fullan Street on page 2)

Motion made by Representative Medina, seconded by Representative Hernandez and unanimously carried to approve the above Resolution.

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***RESOLUTION**

A RESOLUTION AUTHORIZING THE PURCHASE BY THE CITY OF LOT 75, BLOCK 41, EL PASO, EL PASO COUNTY, TEXAS FOR A FIRE STATION SITE AT NOLAN RICHARDSON DRIVE AND BELFRY PARK DRIVE IN EL PASO, EL PASO COUNTY, TEXAS BEING A PARCEL OF LAND CONSISTING OF 43,561 SQUARE FEET.

WHEREAS, the City of El Paso desires to acquire a site for a Fire Station at Nolan Richardson Drive and Belfry Park Drive in El Paso, El Paso County, Texas; and,

WHEREAS, Ranchos Real III, Ltd., owns that certain parcel of land consisting of 43,561 square feet and located at Nolan Richardson Drive and Belfry Park Drive and is willing to sell the same to the City for the appraised fair market value; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The purchase by the City of Lot 75, Block 41, Vista Real Unit Three Amending Subdivision, El Paso, El Paso County, Texas is hereby authorized. The Mayor is further authorized to make any necessary budget transfers and sign any documentation required to complete the purchase of the property at the appraised fair market value of \$98,000.00.

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***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LEASE AGREEMENT BETWEEN THE CITY AND THE FRIENDS OF THE NORTHEAST LIBRARIES TO LEASE A PORTION OF THE FORMER RICHARD BURGESS BRANCH LIBRARY LOCATED AT 9300 DIANA DRIVE, EL PASO, EL PASO COUNTY, TEXAS.

WHEREAS, the Friends of the Northeast Libraries, a non-profit organization benefiting the libraries of Northeast El Paso, has requested to lease and use a portion of the former Richard Burgess Branch Library to promote the Northeast Libraries; and,

WHEREAS, the City Council finds it is in the public interest and serves a public purpose to enter into this lease agreement; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign, on behalf of the City, a Lease Agreement between the City of El Paso and the Friends of the Northeast Libraries to lease a portion of the former Richard Burgess Branch Library located at 9300 Diana Drive, El Paso, El Paso County, Texas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign the Exhibit Contract with Victor Guzman covering the exhibition, "Early El Paso Schools," at the Main Library of the El Paso Public Library System for the period April 27 - May 27, 2001. This exhibition is at no cost to the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign the Exhibit Contract with Vicki Seligman, Hornedo Middle School, covering the exhibition, "Student Art," at the Westside Branch of the El Paso Public Library System for the month of May, 2001. This exhibition is at no cost to the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign the Exhibit Contract with Fred Morales covering the exhibition, "Kern Place," at the Westside Branch of the El Paso Public Library System for the month of June, 2001. This exhibition is at no cost to the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Arts Festival Plaza Facility Rental Policy and Procedures of the El Paso Museum of Art be amended to add the following paragraph:

"The Museum Foundation may rent or use space in the Arts Festival Plaza. The Foundation will be exempt from rental fees, security fees, audio-visual equipment/operator fee, and Museum staff fees for Foundation events, for the sole purpose of supporting and promoting exhibits, special events, educational programs and generally for the benefit of the El Paso Museum of Art. The event shall be coordinated in accordance with the Museum's rental policy and adhere to the same guidelines, including but not limited to, food and beverage restrictions and insurance requirements. Approval of the event and exemption of the rental shall be subject to the approval of the Mayor and Council prior to the event."

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to purchase, on behalf of the City of El Paso, the following works identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's office)

1. One (1) gelatin silver print by artist George Krause entitled "Birds, Mexico," valued at \$1,200.00; and
2. One (1) gelatin silver print by artist Ida G. Lansky entitled "Jets," valued at \$3,800.00;

with funds provided by the Marian Meaker Apteckar Foundation. The total purchase price of FOUR THOUSAND EIGHT HUNDRED DOLLARS AND NO/100 (\$4,800.00), includes a TWO HUNDRED DOLLARS AND NO/100 (\$200.00) discount to the Museum.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to purchase on behalf of the City of El Paso the following works identified further in Exhibit A: (Exhibit on file with this Resolution in the City Clerk's office)

1. One (1) gelatin silver print by artist Carlotta Corpron entitled "Magnolia Blossom," valued at \$3,800.00;
2. One (1) gelatin silver print by artist Carlotta Corpron entitled "A Walk in Fair Park, Dallas," valued at \$3,800.00;
3. One (1) gelatin silver print by artist Carlotta Corpron entitled "Illusion of Male and Female," valued at \$3,600.00;
4. One (1) gelatin silver print by artist Ida G. Lansky entitled "Tranquillity," valued at \$3,800.00;
5. One (1) gelatin silver print by artist Ida G. Lansky entitled "Tryst," valued at \$3,800.00;
6. One (1) gelatin silver print by artist Barbara Maples entitled "Smoke," valued at \$3,800.00;
7. One (1) gelatin silver print by artist Barbara Maples entitled "Lettuce Cover," valued at \$3,800.00; and
8. One (1) gelatin silver print by artist Barbara Maples entitled "Black, White & Gray," valued at \$3,400.00,

with funds provided by the Judith Rothschild Foundation. The total purchase price of TWENTY THOUSAND DOLLARS AND NO/100 (\$20,000.00), includes a NINE THOUSAND EIGHT HUNDRED DOLLARS AND NO/100 (\$9,800.00) discount to the Museum.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement.

East El Paso Rotary Club

Eastwood Park (Album Park)

AND THAT the Mayor be further authorized to sign additional documents and take additional action necessary to fulfill the purpose of this contract.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Ernesto A. Caro, Swim Instructor I, Step 1
DATES: April 17, 2001, thru September 30, 2001
RATES PER HR: \$5.35
CONTRACT NO: 2000/2001-247
2. CONTRACTOR: Joshua A. Priego, Lifeguard I, Step 1
DATES: April 02, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-248
3. CONTRACTOR: Jimmy Jacinto Zambrano, Swim Instructor Coordinator
DATES: April 17, 2001, thru September 30, 2001
RATES PER HR: \$6.50
CONTRACT NO: 2000/2001-249

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

NORTHEAST RECREATION CENTER

NO. 510107, SUB-OBJECT 202214

1. CONTRACTOR: Michelle Moraga, Gymnastics Instructor
DATES: May 1, 2001, thru July 31, 2001
RATE PER CL: \$20.00
MAXIMUM AMT: \$540.00
CONTRACT: 2000/2001-183
2. CONTRACTOR: Stephen Yang, Tai Chi Instructor
DATES: June 2, 2001, thru September 1, 2001
RATE PER CL: \$10.00
MAXIMUM AMT: \$140.00
CONTRACT: 2000/2001-184
3. CONTRACTOR: Stephen Yang, Hapki-Do Instructor
DATES: June 2, 2001, thru September 1, 2001
RATE PER CL: \$10.00
MAXIMUM AMT: \$140.00
CONTRACT: 2000/2001-185
4. CONTRACTOR: Stephen Yang, Yoga Instructor
DATES: June 2, 2001, thru September 1, 2001
RATE PER CL: \$10.00
MAXIMUM AMT: \$140.00
CONTRACT: 2000/2001-186

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Luis R. Camacho IV, Lifeguard I, Step 1
DATES: April 17, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-250
 2. CONTRACTOR: Christopher W. Cordova, Lifeguard I, Step 1
DATES: April 17, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-251
 3. CONTRACTOR: Daniel Torres, Swim Instructor I, Step 1
DATES: April 09, 2001, thru September 30, 2001
RATES PER HR: \$5.35
CONTRACT NO: 2000/2001-252
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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Bianca M. Rodriguez, Lifeguard I, Step 2
 DATES: May 1, 2001, thru September 30, 2001
 RATES PER HR: \$6.20
 CONTRACT NO: 2000/2001-253

2. CONTRACTOR: Elizabeth Venegas, Swim Instructor I, Step 1
 DATES: April 19, 2001, thru September 30, 2001
 RATES PER HR: \$5.35
 CONTRACT NO: 2000/2001-254

3. CONTRACTOR: Miriam M. Villagomez, Lifeguard II, Step 1
 DATES: April 19, 2001, thru September 30, 2001
 RATES PER HR: \$6.40
 CONTRACT NO: 2000/2001-255

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Personal Services Contracts between the **CITY OF EL PASO** and the following Independent Contractors for the El Paso Public Library's Cinco de Mayo Festival on May 5, 2001.

1. Sylvia Abeita, Native American Dances
2. Joey Padilla, Mescalero Apache War Dance Group
3. Dewey D. Tsonetokey, Kiowa Song/Dance Group

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and Anita Lopez for the El Paso Public Library's Cinco de Mayo Festival. There is no cost to the City.
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Personal Services Contracts between the **CITY OF EL PASO** and the following Independent Contractors for the El Paso Public Library's Summer Reading Programs.

1. Bob Burns, Hoot & Annie's Folk Songs
2. Vella Garcia, Storytelling and face painting
3. Mark Wickenheiser, "Mr. Clown"
4. Lewis Contreras, Virtual Reality

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **ERIKA PEDROZA** for the El Paso Library. Employee shall be paid at the rate of \$5.34 per hour, not exceed 20 hours per week without permission from Co-Op coordinator, and will be reimbursed for mileage, not to exceed 150 miles per week or a total of \$51.75 per week. The term of the contract is from May 24, 2001 through May 23, 2002.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **GALIA C. GAMBOA** for the El Paso Library. Employee shall be paid at the rate of \$5.34 per hour, not exceed 20 hours per week without permission from Co-Op coordinator, and will be reimbursed for mileage, not to exceed 150 miles per week or a total of \$48.75 per week. The term of the contract is from May 22, 2001 through May 21, 2002.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Professional Services Contract between the **CITY AND COUNTY OF EL PASO**, on behalf of El Paso City County Health and Environmental District, and **HECTOR I. OCARANZA, M.D.**, a physician, to provide pediatric health services at the rate of \$85.00 per hour. The total amount of the contract shall not exceed \$31,000.00. The term of the contract shall be from May 2, 2001 through August 31, 2001.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor is authorized to sign a Professional Services Contract with Dr. Karen L. Gold for fire safety educational programs for juvenile fire setters and training Fire Department personnel May 10, 2001 through August 31, 2002, subject to approval of the Civil Service Commission.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **JAIME FRIAS CERA** for the El Paso Water Utilities at the rate of \$8.80 per hour, not to exceed 20 hours per week without permission from the Co-Op coordinator. The contract period is from May 1, 2001 through April 30, 2002.

.....
***RESOLUTION**

You are hereby notified that at 9:00 a.m. on the 22nd day of May, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 4903 Wichita Circle, in El Paso, Texas, which property is more particularly described as:

Lot: 2071, Block 85, Mountain View Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 23, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Edward J. Jenkins and Susan M. Jenkins are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

600

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

.....
*R E S O L U T I O N

You are hereby notified that at 9:00 a.m. on the 22nd day of May, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 11025 Paducah Avenue, in El Paso, Texas, which property is more particularly described as:

Lot: 13A, Block 78, Pebble Hills Subdivision Unit 8, Replat "A", an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 49, Page 5, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Blanca & Vilairata Ariyapongsa are listed as the Owners of the real property described herein.

The Owners of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner show that the property is the Owners' lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

*Motion made, seconded and carried that the following First Time Home Buyers applications be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved application

A. 01-04-FTHB/HL-0469 Loan: \$20,000.00
Interest 0% Term: 357 months
11731 John Polley (36) HOME FY 2001

B. 01-04-FTHB/HL-0470 Loan: \$20,000.00
Interest 0% Term: 357 months
7969 Heid St. (15) HOME FY 2001

.....
*Motion made, seconded and unanimously carried to delete the following First Time Home Buyers application in the amount shown below as recommended by the Director of Community and Human Development.

01-04-FTHB/HL-0463 Loan: \$18,000.00
Interest 0% Term: 321 months
9516 Raleigh Drive (24)

.....
*Motion made, seconded and unanimously carried that the street improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Kennedy Estates Site Development

Street Improvements:

Barbara Perez Drive - from Padilla Road to the heel of Lot 7, Block 12
Vecindad Lane - from the heel of Lot 7, Block 12 to Barbara Perez Drive
Al Amanecer Lane - from Northeast of Barbara Perez Drive to Northwest of Barbara Perez Drive
Vistas Lane - from Northeast of Barbara Perez Drive to Northwest of Barbara Perez Drive
John Kennedy Way - from Northeast of Barbara Perez Drive to Vecindad Lane
Bob Kennedy Way - from Northeast of Barbara Perez Drive to Vecindad Lane
Ted Kennedy Way - from Northeast of Barbara Perez Drive to Vecindad Lane
La Vision Lane - from Northeast of Barbara Perez Drive to Ted Kennedy Lane
Suenos Way - from Northeast of Barbara Perez Drive to Imadana Way
Imadana Way - from Northeast of Barbara Perez Drive to Vecindad Lane
Alvarado Drive - from Northeast of Barbara Perez Drive to Northwest of Barbara Perez Drive
Padilla Road - from East Property Line of Lot 1, Block 23 to west Property Line of Lot 1, Block 24
Alley Road - from South Property Line of Lot 1, Block 24, to South Property Line of Lot 1, Block 12
Barbara Perez Drive - from Zaragosa Road to East Property Line of Lot 9, Block 15

.....
*Motion made, seconded and unanimously carried that the street improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Pecan Grove Unit Two Replat "D"

Street Improvements:

Madtone Drive - from the South-Easterly Property Line of Lot 1, Block 25, to the South- Westerly Property Line of Lot 33, Block 25

Soapberry Way - from Madtone Drive to the end of cul-de-sac

*Motion made, seconded and unanimously carried to approve the request to install guard rail(s) at Betel Drive, east and west of Kernel Circle. Cost is \$15,781.75.

*Motion made, seconded and carried to postpone one week the installation of guard rail at Betel Drive, east and west of Bur Oak Circle.

Motion made by Representative Escobar, seconded by Representative Hernandez and unanimously carried to reconsider the installation of guard rail at Betel Drive, east and west of Bur Oak Circle. Cost is \$5,423.87.

Representative Escobar explained that he requested this item be reconsidered due to receiving information in the interim.

Motion made by Representative Escobar, seconded by Representative Hernandez and unanimously carried to approve the request to install guard rail(s) at Betel Drive, east and west of Bur Oak Circle. Cost is \$5,423.87.

*Motion made, seconded and unanimously carried to approve the request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Clerk Typist II, Municipal Court (1 position)
- B. Coach Operator Trainee, Sun Metro (13 positions)
- C. Customer Relations Clerk, Building Services (1 position)

*Motion made, seconded and unanimously carried to approve the following provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Civil Engineer III, Engineering (1 position)

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Community Development:

Delete	.70	Secretary I	GS 13
Delete	.30	Secretary I	GS 13
Add	.70	Senior Citizen Program Representative	GS 14
Add	.30	Senior Citizen Program Representative	GS 14

*Motion made, seconded and unanimously carried to appoint Alma Wilson to the Parks and Recreation Advisory Board by Representative Sariñana.

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Roberto A. & Adelina Reyes in the amount of \$764.17, overpayment of 2000 taxes. (PID #E299-999-0050-1600)
- B. World Savings in the amount of \$771.69, overpayment of 1998 taxes. (PID #G569-999-0050-6700)
- C. Francisco & Josefa Gonzalez in the amount of \$2,579.45 overpayment of 2000 taxes.

- (PID #G686-999-0690-9700)
- D. Wells Fargo Home Mortgage in the amount of \$1,002.19, overpayment of 2000 taxes.
(PID #H454-999-0070-0900)
 - E. B&G Land Management in the amount of \$1,294.14, overpayment of 2000 taxes.
(PID #H791-003-0110-0350)
 - F. Countrywide Tax Services Corporation, in the amount of \$1,216.06, overpayment of 2000 taxes.
(PID #L217-999-002B-5500)
 - G. Sergio and Soledad Lopez in the amount of \$821.41, overpayment of 2000 taxes.
(PID #S231-999-0250-3600)
 - H. Lawyers Title of El Paso in the amount of \$3,404.87, overpayment of 2000 taxes.
(PID #T213-999-0110-0900)
 - I. Atlantic Mortgage in the amount of \$1,613.04, overpayment of 1999 taxes.
(PID #V893-999-3600-1400)
 - J. Southwest Escrow, Inc. in the amount of \$1,172.91, overpayment of 2000 taxes.
(PID #X578-000-3430-0600)
 - K. Principal Mortgage in the amount of \$14,946.89, overpayment of 2000 taxes.
(PID #X579-999-2410-0100)
 - L. William H. McClammy in the amount of \$718.16 overpayment of 1999 taxes.
(PID #X579-999-308A-9260)

.....
 *Motion made, seconded and unanimously carried that the Director of Purchasing be authorized to exercise the City's option to purchase additional quantities pursuant to the terms of Contract No. 2001-015C for "Ambulances", with Taylor Made Ambulances.

Department(s): El Paso Fire Department
 Funds Available: 250201-208006-MB0002-130
 Funding Source: FY2001 Certificates of Obligation
 Item(s): 1 (2 Each) with Delete Options 1, 2,
 3, 4, 5, 8, 10, 12, 15, 16, 20, 22, 25
 Award Amount: \$263,552.00

.....
 *Motion made, seconded and unanimously carried that the Director of Purchasing be authorized to exercise the City's option to purchase additional quantities pursuant to the terms of Contract No. 2001-136C for a "Skid Loader", with Tom Growney Equipment, Inc.

Department(s): Solid Waste Management
 Funds Available: 250101-208029-MB0001-160
 Funding Source: FY2000 Certificates of Obligation
 Item(s): 1 (1Each)
 Award Amount: \$22,961.02

.....
 *Motion made, seconded and unanimously carried that the Director of Purchasing be authorized to issue a Purchase Order to The Software Group in the amount of \$15,350.00. The Software Group will provide access to proprietary software to the source code regarding the interface between the Tiburon, Inc. system and the Municipal Court database. Additional, it is requested that Mayor be authorized to sign any additional documents, contract, and/or agreements. (2001-201)

Department: Police
 Funds available: 150048-208010 Project 210107 BJA Block Grant-Data Processing Equipment
 Total amount: \$15,350.00

*Motion made, seconded and unanimously carried that the Director of Purchasing be authorized to issue a Purchase Order to Tiburon Inc. in the amount of \$21,900.00. Tiburon Phoenix CAD software is a proprietary product and Tiburon, Inc. is the sole source for the software interface. Additional, it is requested that Mayor be authorized to sign any additional documents, contract, and/or agreements. (2001-202)

Department: Information Services
Funds available: 150048-208010 Project 210107
Total amount: \$21,900.00

.....
*Motion made, seconded and unanimously carried that the Director of Purchasing be authorized to issue a Purchase Order to Motorola, Inc. in the amount of \$1,472,578.00. Motorola, Inc. is the sole source provider for the upgrading of existing Motorola Dispatch Consoles. Reference Contract No. EP92-589.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to executive any related contract documents and agreements necessary during the contract. (2001-206)

Department: Police
Funds available: 116104-208035 Project 501208, \$753,000.00
90/92 Communication Improvements
Funds available: 102010-208035 Project 54001 CTY, \$700,000.00
Capital Acquisition, Communications Equipment
Funds available: 250101-208035 Project MB001-130, \$ 18,578.00
Certificate of Obligations FY00, Communications Equipment
Total award: \$1,472,578.00

Award amount was revised to read "\$1,472,578.00" instead of \$1,471,578.00 as shown on the agenda.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-138R Workers Compensation Claims Audit

Award to: Deloitte & Touche
Houston, TX
Items: All
Amount: \$68,250.00

Department: OMB
Funds available: 010255-202215
Funding source: General Funds
Total amount: \$68,250.00

Purchasing, OMB and Legal recommend award to Deloitte & Touche. They are a responsive and responsible proposer. There was another proposer but they were disqualified due to prior contractual arrangements with the City of El Paso. Fee is estimated due to being based on the number of hours expended by the consultants in performing this audit along with their out of pocket expenses to be negotiated at no more than 5% of the proposal amount of \$65,000.00 or \$3,250.00.

This is a one time contract for Audit Services of the Workers Compensation program. The contractor did not offer a payment discount.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-147 50 Foot Bucket Truck

Award to: Altec Industries, Inc.
St. Joseph, MO
Item: 1 with Optional Items O1, O2, O3B, O3C, O6, O8
Amount: \$100,788.00

Department: Parks and Recreation
Funds available: 102009-208029-540009
Funding source: FY1999 Contractual Obligations
Total amount: \$100,788.00

The Equipment Maintenance, Parks, and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase one (1) 50 Foot Bucket Truck. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within sixty (60) days from the date of award of the contract. No prompt payment discount is offered.

.....
Motion made, seconded and unanimously carried to move to the regular agenda the following Bid No. 2001-154 Quint Style Fire Apparatus

Representative Sumrall commented on the difference of dollar amounts in her backup material and what was listed on the Agenda.

Mr. Byron Johnson, Director of Purchasing, explained what the bid entailed and that only a limited number of companies provide this item. He stated that the amount is correct at \$628,586.80 and that the Department deleted several of the optional items. He discussed the optional items.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to award Bid No. 2001-154 Quint Style Fire Apparatus

Award to: First-In, Inc.
El Paso, TX
Item: 1 (Base Price \$627,659.00)
Delete options: O23 (1 each), O25 (1 each), O63, O65, O72, O73
O78, O79, O80, O81, O82, O83, O84, O85
Unit price less deletions: \$624,386.80
Add Option: A1 (\$4,200.00)
Amount: \$628,586.80

Department: El Paso Fire Department
Project code: 250101-208029-MB0001-130
Funding source: FY-2000 Certificates of Obligation
Total amount: \$628,586.80

The Fire and Purchasing Departments recommend award as indicated. They are the low, responsive offer from a responsible offeror. A lower bid was received but did not meet specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Quint Style Fire Apparatus. There is one option from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days, from the date of award of the contract. No prompt payment discount is offered.

.....
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-173 Auto Parts - Air Conditioning

Representative Sumrall commented that there was no bidder by the name of Main Auto Parts on the bidder's list.

Mr. Byron Johnson, Director of Purchasing, explained that Main Auto Parts was the best discount on the price list.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to award Bid No. 2001-173 Auto Parts - Air Conditioning

Award to: Main Auto Parts
El Paso, Texas
Items: All
Amount: \$20,000.00 (estimated annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Service Fund
Total amount: \$20,000.00 (estimated annually)

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers a prompt payment discount of 2%20 days. Vendor also offers the City the option to extend the term of the Contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of THIRTY SIX (36) months.

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*Motion made, seconded and unanimously carried to award Bid No. 2001- 178 Navistar / International Proprietary Parts & Service

Award to: Border International Trucks, Inc.
El Paso, Texas
Items: Part A, items 1 & 2, Part B (all)
Amount: \$30,000.00 (estimated annually)

Department: . Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Service Fund
Total amount: \$30,000.00 (estimated annually)

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the Contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of THIRTY SIX (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-105 Auto Rental Concessionaire

Award to: Vendor 1: The Hertz Corporation

Amount: \$840,200.00 (Minimum Annual Guarantee
for the first year of the contract)

Vendor 2: Avis Rent A Car System, Inc.

Amount: \$651,000.00 (Minimum Annual Guarantee
for the first year of the contract)

Vendor 3: Midwest Car Corporation; an independent licensee of
National Car Rental System

Amount: \$415,612.00 (Minimum Annual Guarantee
for the first year of the contract)

Vendor 4: Devos Motor Company d.b.a. Dollar Rent A Car

Amount: \$317,420.85 (Minimum Annual Guarantee
for the first year of the contract)

Vendor 5: Budget Rent A Car of El Paso, Inc.

Amount: \$267,000.00 (Minimum Annual Guarantee
for the first year of the contract)

Vendor 6: Enterprise Leasing Company-West

Amount: \$175,000.00 (Minimum Annual Guarantee
for the first year of the contract)

Vendor 7: Southwest-Tex Leasing Company, Inc.

d.b.a. Advantage Rent A Car
Amount: \$168,012.00 (Minimum Annual Guarantee
for the first year of the contract)

Department: Department of Aviation

Funds Available: Revenue Contracts

Funding Source: Revenue Contracts

Award: \$2,834,244.85

Total Minimum Annual Guarantee for the first year of the contract

The Department of Aviation and Purchasing recommend award as indicated to the indicated responsive offers meeting specifications, from responsible parties. These are concession, revenue generating contracts.

In the second, third, fourth, and fifth year of each contract, compensation to the City shall be the greater of:
1.) ten percent (10%) of the total annual gross receipts; or 2.) a minimum annual guarantee equal to the greater of eighty-five percent (85%) of the guaranteed amount bid for the immediately preceding year; or 3.) one hundred percent (100%) of the minimum guaranteed amount for the first year of the contract.

These are contracts for the operation of nonexclusive auto rental concessions at the El Paso International Airport. These contracts are for a five (5) year time period. Contracts to start July 1, 2001.

Additionally, it is requested authorization for staff to negotiate, City Attorney to review and Mayor execute any related contract documents.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-108 Uniforms for Solid Waste

Award to: Vendor (1) Bazaar Uniform & Men's Store
El Paso, Texas
Item(s): 1A,1B,2,3A,3B,3C,4,7A,7B,8,9,11,
16A,16C,16D,18,19,21,22,31
Amount: \$55,078.61 (estimated annually)

Vendor (2) Work Wear Safety Shoes
El Paso, Texas
Item(s): 5A,5B,10(1),10(3),12,13,23
Amount: \$35,936.00 (estimated annually)

Vendor (3): Alfa Safety Products
El Paso, Texas
Item(s): 16B,17,20,24,28,29,30
Amount: \$26,738.30 (estimated annually)

Vendor (4) Iron Age Corporation
Pittsburgh, Pennsylvania
Item(s): 10(2),14
Amount: \$14,307.48 (estimated annually)

Vendor (5): Harbor Linen Co.
Cherry Hill, New Jersey
Item(s): 26, 32
Amount: \$3,966.00 (estimated annually)

Vendor (6): Direct Action Uniforms
El Paso, Texas
Item(s): 6
Amount: \$3,980.00 (estimated annually)

Vendor (7): Lehigh Safety Shoes
Vestal, New York
Item(s): 15
Amount: \$1,212.50 (estimated annually)

Vendor (8): Loveline Industries. Inc.
Bronx, New York
Item(s): 27
Amount: \$3,360.00 (estimated annually)

Vendor (9): RBI Company
Dallas, Texas

Item(s): 25
 Amount: \$1,805.20

Department: Solid Waste Management
 Funds available: 010291-203120-203123
 010292-203120-203123
 010293-203120-203123
 010294-203120
 010295-203120
 010296-203120-203123
 010298-203120-203123

Funding source: General Funds
 Amount: \$146,384.09

The Solid Waste Management and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #2, #3, #7 & #8 offer the City the option to extend the term of the Contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

Vendor#1,#4 & #5 offer the City the option to extend the term of the Contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of TWENTY-FOUR (24) months.

.....
 *Motion made, seconded and unanimously carried to award Bid No. 2001-117 Lancets & Capillary Tubes

Award to: Vendor #1: Medical Supplies Depot Inc.
 Mobile AL
 Item(s): #1
 Amount: \$29,000.00

Award to: Vendor #2: Para Scientific Co.
 Fairless Hills PA
 Item(s): #2
 Amount: \$17,835.00

Department(s): City-County Health
 Funds available: 150011-203112
 Funding source: TDH Clinical Service Grant - Clinical/Medical Supplies
 Amount: \$46,835.00

City-County Health and Purchasing recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a twenty-four month contract with no renewable options.

Bellco Drug Corp. and Dimensions Medical Supply Group, Inc. were considered in default. Low bids from Alfa Safety Products (Alternate) and Para Scientific Co. did not meet specifications. The lancets proposed do not provide a pre-measured blade to determine if it goes deep enough. Additionally, there is a twist off top.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-140 El Paso Police Department Canine Training Facility

Contractor: El Paso A.R.C. Electric, Inc.
El Paso, Texas

Department: Police

Funding available: Unallocated funds from closed/completed projects

Funding Source: CO's & GO's

Base Bid: \$146,518.00

Total Award: \$146,518.00

It is recommended that Matyear Construction, Inc., the low bidder, be allowed to withdraw his bid as requested without prejudice or forfeiture of his bid security.

The Purchasing Department further recommends the award of this contract to El Paso A.R.C. Electric, Inc., the second low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid: \$141,380.00

Alternate 1: \$ 390.00

Alternate 2: \$ 2,258.00

Alternate 3: \$ 2,490.00

TOTAL RECOMMENDED AWARD: \$146,518.00

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*Motion made, seconded and unanimously carried to award Bid No. 2001-145 Powered Air Purifying Respirator

Award to: 3M, Federal Systems Department
St. Paul, MN

Items(s): 1 & 2

Department: Fire

Funds available: 150024-203123

Funding source: Grant, Special Revenue - Safety Equipment

Total Award: \$22,738.32

Fire Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidder meeting specifications. This is a one time purchase.

Low bid from Applied Environmental Products, Inc. does not meet specifications.

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Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-156 Advertising and Consulting Services.

Mr. Byron Johnson, Director of Purchasing, explained this item is for the advertising and consulting services for the Airport.

Representative Medina asked who the bid was previously awarded to.

Mr. Johnson stated it was Lara Robertson and that their bid was noticeably higher than The Gwinn Company's bid. Mr. Johnson clarified Ms. Robertson's bid paperwork for Representative Medina.

Mr. Pat Abeln, Director of Aviation, addressed Representative Medina's question regarding the advertising of the Airport. He expounded on the efforts of the Airport to advertise nationally, provide mail outs and post cards, parking lot signage, website and trade show displays.

Representative Hernandez questioned the work load and staff of the company.

Mr. Byron Johnson, Director of Purchasing, explained that the company has met the criteria of experience and qualifications and that the Airport has met the staff and that they feel comfortable with this selection.

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to award Bid No. 2001-156 Advertising and Consulting Services

Award to: The Gwinn Company d.b.a. Advertising Ink
El Paso, Texas
Item(s): All
Amount: \$90,000.00 (estimated annually)

Department: El Paso International Airport
Funds available: 620004-202116 (\$23,000.00 estimated annually)
Funds available: 620001-202116 (\$34,000.00 estimated annually)
Funds available: 620013-202116 (\$10,000.00 estimated annually)
Funds available: 620005-202116 (\$ 3,000.00 estimated annually)
Funding source: Various Airport Funds
Total amount: \$90,000.00

The El Paso International Airport and the Purchasing Departments recommend award to The Gwinn Company d.b.a. Advertising Ink. They are the low, responsive, and responsible bidder meeting specifications.

This is a thirty-six (36) month requirements-type Contract for Advertising and Consulting Services. The Contract will officially begin at 12:01 midnight, May 5, 2001.

There was an option to extend the terms of the contract for twenty-four (24) additional months at the same unit prices, if the option is exercised within one (1) year from the date of award of the contract. No fast payment discount is offered.

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Motion made, seconded and unanimously carried to move to the regular agenda RFP No. 2001-179R - Professional Auditing Services.

Mr. Byron Johnson, Director of Purchasing, explained the award is for the City's comprehensive audit. He explained the number of proposals submitted, the criteria utilized to evaluate the RFP's, the recommendation of the Review Committee, the length of the contract and the options to continue the services. He stated that this does meet all of the GATSBY 34 requirements.

Representative Sumrall commented on the local bidders and questioned the Arthur Andersen Company's involvement in El Paso. She stated that there were local companies which did bid and hoped that they would bid again in the future.

Mr. Johnson responded that the Arthur Anderson Company is looking into El Paso as a future site. Mr. Johnson explained that one of the criteria of the RFP was price, although there were other lower price components, the lower price components did not have the expertise in government areas which the City required.

Representative Escobar questioned the travel expenses of the auditors.

Mr. Johnson explained that Arthur Andersen included these costs in the RFP.

Ms. Wendy Hebestreit, Comptroller, explained that the auditor's travel plans would be discussed in June when the initial audit is put together.

Mr. Hilton Roy Maddox, Jr., partner with Lauterbach & Borschow & Co PC, explained that his firm is the largest CPA firm in El Paso. He stated that the company has the experience and capability to do a City audit and his firm could do the audit for a lesser price.

Mr. Bill Chapman, Chief Financial Officer, explained that during the evaluation of the proposals, the City considered current experience regarding GATSBY34 and the future ability to audit the NSP provider. He stated that he felt comfortable with the selection that was made. He explained that Arthur Andersen utilizes very sophisticated computer software and they can generate worksheets from supporting documents.

Representative Sariñana responded to Mr. Chapman's statements.

Mr. Maddox responded that his firm has the same capabilities and that his firm has been in El Paso for 50 years.

Representative Ortega questioned Mr. Maddox regarding the previous years in which Borschow & Lauterbach was the City's auditor.

Mr. Maddox responded 1991 through 1995. He added that following his firm, KPMG has been utilized by the City. He explained that it is very normal, in the profession, to change auditors every five years.

Representative Cook questioned Mr. Maddox how he would address the concern regarding GATSBY34.

Mr. Maddox responded it is a big concern and that his firm is very familiar with GATSBY34.

Representative Sumrall asked whether any of the local firms were as qualified as Arthur Andersen on the GATSBY34 issue.

Mr. Maddox stated that GATSBY34 will not be effective for another two years.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that the City has been in the implementation stages of GATSBY34 since budget talks last year and that the City must move forward as quickly as possible with a firm already familiar with GATSBY34.

Representative Hernandez asked whether the Arthur Andersen firm might ask for a Change Order.

Mr. Johnson explained that this is a straight, not-to-exceed contract. He reiterated the evaluation process of the proposals for Council Members.

Motion made by Representative Cook, seconded by Representative Sumrall and carried to award RFP No. 2001-179R - Professional Auditing Services

Award to: Arthur Andersen
Dallas, Texas
Amount: \$200,000.00

Department: Comptrollers
Funds Available: Various - 202104
Funding Source: General Fund
Amount Award: \$200,000.00

Purchasing, OMB and Comptrollers recommend award to Arthur Andersen. They are the low responsive and responsible proposer. The City received four (4) other proposals, two (2) local, but they were disqualified due to a lesser amount of Governmental Auditing experience. The fee is a "not to exceed based fee" for the first year with four additional yearly options with any fee increases based on cost of living increases.

The contractor does not offer any payment discounts and will be paid based on monthly billing up to the maximum amount.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to execute any related contract documents, letter of engagement, and agreements necessary during the contract.

Representatives Sariñana and Hernandez voted Nay.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-181 Modular Furniture - Information Services

Award to: Harrison-Brown Interior Solutions, LLC
El Paso, TX
Item(s): All
Amount: \$29,779.38 (estimate)

Department: Information Services
Funds Available: 102009-208009 Project 540009
Funding Source: Contractual Obligations FY99, Furniture & Fixtures,
Total Award: \$29,779.38 Estimate

Information Services Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidders meeting specifications.

This is a one time purchase. In addition Harrison-Brown Interior Solutions offers the option to purchase 100% of the quantities, at the same price for a twelve month period.

Low bids from Howell Business Services dba Business Interiors can not meet the required delivery time frame as requested in this solicitation.

*Motion made, seconded and unanimously carried to award Bid No. 2001-185 Clint Landfill, Cell B - MSW Permit No. 1482

Contractor: Ortega Construction Co., Inc.
El Paso, Texas

Department: Solid Waste
Funding available: 250202-PW0049-208027
Funding Source: CO's
Base Bid: \$1,548,775.00
Total Award: \$1,548,775.00

The Purchasing Department recommends the award of this contract to Ortega Construction Co., Inc., the low responsible, responsive bidder. Additionally, it is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project as necessary.

DESCRIPTION OR EXPLANATION:

Base Bid I: \$1,326,275.00
Alternate I: \$ 222,500.00

TOTAL RECOMMENDED AWARD: \$1,548,775.00

.....
Motion made, seconded and unanimously carried to move to the regular agenda Construction Change Order #26 to Samcorp General Contractors, Inc.

Representative Medina asked what the total dollar amount and percentages of the Change Orders were.

Mr. Gonzalo Cedillo, Deputy Director of Engineering, explained the figures for Representative Medina and commented that he recommends approval.

Representative Hernandez questioned why these items, listed in the Change Order, were not included in the scope of work.

Mr. Cedillo explained that these were items not found in the original drawings.

Motion made by Representative Hernandez, seconded by Representative Medina and unanimously carried to approve Change Order No. #26 to Samcorp General Contractors, Inc., for the Convention Center Expansion and Modernization project, for an increased amount of \$236,331.50; for addition of structural steel supports for soffit; relocation of fire risers at south elevator tower stairs; addition of light fixtures around elevator towers; addition of wall tile to ceiling height in bathrooms; addition of roof drains and crickets; addition of masonry caps for columns; and modification of utility boxes. (2000-088)

Additionally, it is requested that the Mayor be authorized to execute budget transfers for this project as necessary.

Representative Sumrall was not present for the vote.

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*Motion made, seconded and unanimously carried to approve budget transfer BT2001-479 PURCHASING

Appropriation increase is necessary to purchase additional inventory. Sales to departments are on pace to exceed FY01 budget. This, coupled with the reprinting of the City's Code Book, has created a need for additional inventory.

Increase	\$ 25,000	to	070151/104355	Misc Charges Sales
Increase	\$ 25,000	to	070151/203121	Inventory Purchases

.....
Motion made, seconded and unanimously carried to move to the regular agenda BT2001-483 AIRPORT

Representative Medina questioned what this budget transfer was in regards to.

Mr. Pat Abeln, Director of Aviation, explained that Federal agencies are utilizing hangar and office facilities which are far less than desirable. He explained that the Border Patrol does all of their flight training for the United States here in El Paso without adequate office facilities. He stated that he has monies available to design and build a parking ramp and then follow up, in the next six months, with a plan for office and hangar facilities. He stated that this will be located in a secure area on land with expansion potential.

Motion made by Representative Medina, seconded by Representative Escobar and unanimously carried to approve budget transfer BT2001-483 AIRPORT

To set up funding for design phase of Law Enforcement Organization (LEO) campus at El Paso International Airport.

Increase	\$ 250	to	620024/AP0015/202205	Legal Notices
Increase	\$ 1,000	to	620024/AP0015/202302	Print Shop Chg
Increase	\$ 500	to	620024/AP0015/202304	Mail Room Chg
Increase	\$600,000	to	620024/AP0015/208027	CWIP Construction
Increase	\$601,750	to	620024/AP0015/107001	Intrafund Trsf In
Increase	\$601,750	to	620018/500002/107002	Est Revenue
Increase	\$601,750	to	620018/500002/207001	Intrafund Trsf Out

Representative Sumrall was not present during discussion and abstained from voting.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-484 AIRPORT

To set up funding for study to replace runway light system at El Paso International Airport.

Increase	\$ 250	to	620029/AP0016/202205	Legal Notices
Increase	\$ 1,000	to	620029/AP0016/202302	Print Shop Chg
Increase	\$ 500	to	620029/AP0016/202304	Mail Room Chg
Increase	\$200,000	to	620029/AP0016/208027	CWIP Construction
Increase	\$201,750	to	620029/AP0016/107001	Intrafund Trsf In
Increase	\$201,750	to	620018/500002/107002	Est Revenue
Increase	\$201,750	to	620018/500002/207001	Intrafund Trsf Out

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-485 AIRPORT

To set up funding for design phase of landscaping and irrigation system from Walter Jones Blvd. to George Perry Blvd.

Increase	\$ 250	to	620021/AP0017/202205	Legal Notices
Increase	\$ 1,000	to	620021/AP0017/202302	Print Shop Chg
Increase	\$ 500	to	620021/AP0017/202304	Mail Room Chg
Increase	\$100,000	to	620021/AP0017/208027	CWIP Construction
Increase	\$101,750	to	620021/AP0017/107001	Intrafund Trsf In
Increase	\$101,750	to	620018/500002/107002	Est Revenue
Increase	\$101,750	to	620018/500002/207001	Intrafund Trsf Out

*Motion made, seconded and unanimously carried to approve the request of Carmen G. Olvera to block off Wyoming between Brown and Noble on June 16, 2001 from 12:00 p.m to 7:00 p.m. for a block party. Approximately 45 persons and 5 automobiles will participate and 100 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 01-040

*Motion made, seconded and unanimously carried to approve the request of El Paso Heritage Week Festival Foundation to use amplification (speakers-300 watts & 2000 watts) at Arts Festival Plaza, San Jacinto Plaza, Plaza Theatre/Pioneer Plaza area, Aztec Calendar Park on May 5, 2001 from 9:00 a.m. to 7:00 p.m. Approximately 500 persons will use amplification and 3,000 to 5,000 spectators are anticipated. PERMIT NO. 01-042

*Motion made, seconded and unanimously carried to approve the request of Aids Project El Paso to hold a foot race/walk on May 5, 2001 from 6:00 a.m. to 10:00 a.m. Route: Cincinnati to Kansas, Blacker, Rim, Piedmont, La Cruz, O'Keefe, Stanton, Cincinnati. Approximately 300 persons will participate and 100 spectators are anticipated. This request includes permission to use amplification (1 microphone). PERMIT NO. 01-044

*Motion made, seconded and unanimously carried to approve the request of Border Bandits Racing Team to hold a bike race on May 5, 2001 from 7:00 a.m. to 10:30 a.m. Route: San Francisco to Anthony, under Durango Street bridge, right on Durango to Paisano, right on Paisano to Anthony, right on Anthony to point of origin. Approximately 60 persons will participate and 100 spectators are anticipated. PERMIT NO. 01-046

*Motion made, seconded and unanimously carried to approve the request of Consulate General of Mexico to hold a parade/festival on May 5, 2001 from 2:00 p.m. to 5:00 p.m. Route: Start at Bowie High School parking lot, cross San Marcial Street and into El Chamizal National Memorial parking lot. Approximately 200 persons will participate and 500 spectators are anticipated. PERMIT NO. 01-045

*Motion made, seconded and unanimously carried to approve the request of William Moody to hold a parade on May 6, 2001 from 12:00 (noon) to 12:30 p.m. Route: Start at Oregon & Yandell, down Yandell to San Jacinto Plaza (sidewalk only). Approximately 150 persons will participate. PERMIT NO. 01-048

Motion was revised to read: "May 6, 2001 from 12:00 (noon) to 12:30 p.m.

ORDINANCE 14829

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF ALL OF LOTS 28 AND 29, BLOCK 15, BRENTWOOD HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS (5412 ROSA AVENUE) FROM R-5 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Medina, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: Mayor Carlos M. Ramirez

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14830

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF THE M.J. MCKELLIGON SURVEY 270, CITY OF EL PASO, EL PASO COUNTY, TEXAS (50 FEET NORTH OF THE INTERSECTION OF SAN MATEO ROAD AND PIEDMONT AVENUE) FROM PMD (PLANNED MOUNTAIN DEVELOPMENT) TO R-3 (RESIDENTIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sumrall asked for elaboration.

Ms. Pat Adatao, Planning Director, explained the acreage and stated that there is an existing Public Water Reservoir maintained by the El Paso Water Utilities located on the site.

Motion duly made by Representative Sumrall, seconded by Representative Hernandez that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: Mayor Carlos M. Ramirez

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14831

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO PF.NET NETWORK SERVICES, CORPORATION, TO PERMIT AND REGULATE THE CONSTRUCTION, MAINTENANCE AND USE OF A LONG DISTANCE TELECOMMUNICATIONS SYSTEM ACROSS, OVER AND UNDER VARIOUS PORTIONS OF PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF EL PASO.**

Motion duly made by Representative Hernandez, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: Mayor Carlos M. Ramirez

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Medina was not present for the vote.

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ORDINANCE 14832

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE EL PASO HERITAGE WEEK FESTIVAL, TO PERMIT TEMPORARY SIDEWALK VENDING AND EVENT DISPLAYS WITHIN CERTAIN PORTIONS OF PUBLIC RIGHTS-OF-WAY IN DOWNTOWN EL PASO ON MAY 5, 2001**

Representative Hernandez asked about the fee.

Ms. Pat Aauto, Planning Director, stated that the fee was \$50.00 total for the one day.

Motion duly made by Representative Hernandez, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: Mayor Carlos M. Ramirez

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Medina was not present for the vote.

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ORDINANCE 14833

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE EL PASO MILLENNIUM COMMUNITY TO TEMPORARILY CLOSE PORTIONS OF SAN FRANCISCO AVENUE, ANTHONY STREET AND WESTERN COURT FOR THE UNION PLAZA GRAND OPENING AND HERITAGE WEEK STREET FESTIVAL ON MAY 4, 2001**

Representative Hernandez invited the public to attend and stated that the events will begin at 5:00 p.m.

Motion duly made by Representative Hernandez seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: Mayor Carlos M. Ramirez

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Medina was not present for the vote.

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*Motion made, seconded and unanimously carried to postpone one week an Ordinance formally establishing the Development Coordinating Committee (DCC), a technical advisory committee, and defining its membership, duties and responsibilities.

.....
*Motion made, seconded and unanimously carried to postpone one week an Ordinance amending Title 15 (Public Services) of the El Paso Municipal Code, by amending Chapter 15.08 (Street rentals), Section 15.08.120 (Special privilege licenses) by establishing requirements and fees for the installation of temporary street displays within portions of public rights-of-way, the penalty being as provided in Section 15.08.120.K of the Code.

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ORDINANCE 14834

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING AN EXISTING FIFTEEN (15) FOOT DRAINAGE EASEMENT LOCATED WITHIN A PORTION OF LOT 1, BLOCK 1, PEBBLE BROOK UNIT ONE, REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS (SOUTH OF MONTANA AVENUE AND WEST OF GEORGE DIETER DRIVE).**

Motion duly made by Representative Ortega, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor Pro Tem ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: Mayor Carlos M. Ramirez

Whereupon the Mayor Pro Tem ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Medina was not present for the vote.

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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City accepts the dedication of a fifteen (15) foot wide drainage easement located within *Lot 1, Block 1, Pebble Brook Unit One, Replat A, City of El Paso, El Paso County, Texas*, and being more fully described by metes and bounds in Exhibit "A", from Cielo Vista Church and accepts such for maintenance as an additional easement. (Exhibit on file with this Resolution in the City Clerk's office)

Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Representative Medina was not present for the vote.

RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01001, FOR A PORTION OF LOT 17, BLOCK 126, PEBBLE HILLS UNIT 15, EL PASO, EL PASO COUNTY, TEXAS (3172 YARBROUGH DRIVE), PURSUANT TO A ZONING CONTRACT.

WHEREAS, **Southwestern Bell Telephone Company** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a zoning contract entered into March 2, 1977, between Leavell Development Company, Individual Homes, Inc., and the City of El Paso, to permit the construction and development of a communications utility facility (communications equipment hut); and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application; and

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a communication utility facility (communications equipment hut) on the following described property which is located in a C-1/sc (Commercial/special condition) District:

A Portion of Lot 17, Block 126, PEBBLE HILLS UNIT 15, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally known and numbered as 3172 Yarbrough Drive.

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference. (Exhibit on file with this Resolution in the City Clerk's Office.)

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-1/sc (Commercial/special condition) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-1 (Commercial) District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Representative Medina was not present for the vote.

*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of March 6, 2001 for the property located at 1210 E. Paisano Drive., Apt. B, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the council order has not been complied with.

*Motion made, seconded and unanimously carried to postpone two weeks the public hearing to determine if the property located at 306 W. Overland Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following rental contract for space in the El Paso Museum of Art and the Arts Festival Plaza.

- Event: Various events being held in conjunction with Heritage Week
- Licensee: El Paso Museum of Art Foundation
- Date: May 5, 2001
- Time: 8:00 a.m. to 6:00 p.m.
- Insurance: \$158.00
- Area: Special Events, Festival Arts Plaza and Auditorium

Representative Rodriguez questioned whether the entity requesting this rental contract had done so 30 days in advance.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that this has been approved by the Museum and all other channels.

Ms. Suzanne Dipp, Heritage Week Coordinator, explained that she had started working with the Museum seven months ago.

Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

Representative Medina was not present for the vote.

Motion made by Representative Sumrall, seconded by Representative Rodriguez and unanimously carried to postpone two weeks the discussion and action on an appeal of the Development Coordinating Committee denial of SP-01002 requesting to build an overhead walkway across a portion of public drainage right-of-way to provide access between Lots 36 & 37, Block 7, Ridge View Estates, Unit 2. (Padilla Homes)

Representative Sumrall asked for elaboration.

Ms. Pat Adata, Planning Director, clarified for Council Members the situation regarding the properties.

Mr. Rafael Padilla, Padilla Homes, commented on the proposal.

*Motion made, seconded and unanimously carried to postpone two weeks the Public Hearing on Time Warner increase to Basic Tier cable rates effective January 1, 2001.

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Motion made, seconded and unanimously carried to postpone two weeks the discussion and action concerning report and recommendations of Thomas C. DeWard concerning Basic Tier rates and surcharges of Time Warner Communications in the City of El Paso.

Ms. Rita Rodriguez, First Assistant City Attorney, stated that the Legal Department respectfully requests the authority to hire an attorney who specializes in this type of matter, with a salary not to exceed \$15,000.00.

Motion made by Representative Sumrall, seconded by Representative Hernandez and unanimously carried to authorize the City Attorney to hire outside counsel, Clarence West, concerning Basic Tier rates and surcharges of Time Warner Communications in the City of El Paso, contract not to exceed \$15,000.

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Motion made, seconded and unanimously carried to refer to the Planning Legislative Review Committee and to postpone four weeks the discussion and action on lottery of vendors' sites/carts as requested by Representative Hernandez.

Representative Hernandez made opening statements. She explained that the vendors have approached her with their concerns regarding the carts and the upcoming lottery in September. She explained that the vendors are financially burdened regarding the carts and rules that the vendors must adhere to. She stated that the vendors have requested that the lottery be postponed for two years or to not have a lottery all together.

Ms. Pat Aauto, Planning Director, clarified for Council Members by providing a chronology regarding the vendors and carts. She explained that the question today is, does the Planning Department extend the 22 Special Privilege licenses beyond March 10, 2002 for an additional period of time or does the Department continue to have a third lottery drawing the latter part of this year to allow everyone to have an opportunity to have one of the 22 locations. She further stated that the Department has 127 food vendors which have signed up who would want to participate in the lottery and who want to be concessionaires licensed under one of the 22 licenses.

Representative Hernandez responded to Ms. Aauto's comments.

Ms. Aauto clarified that initially there were 32 locations, however, only 22 locations were viable locations.

Representative Hernandez reiterated that these carts have become a financial burden to the vendors.

Representative Medina commented on the number of locations and the 127 food vendors waiting for the upcoming lottery.

Ms. Aauto responded to Representative Medina's comments.

Mr. Morales, food vendor, stated his complaints to Council Members.

Representative Sumrall made comments regarding those other vendors waiting for the upcoming lottery. She commented on "Big Boy" and why "Big Boy" did not offer some financial assistance to the vendors. She suggested holding a Legislative Review Committee meeting and discuss issues regarding "Big Boy" and his lack of financial assistance to the vendors.

Representative Medina agreed with Representative Sumrall's suggestion and also asked that those other 127 vendors participate in the Legislative Review Committee meeting.

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*Motion made, seconded and unanimously carried to delete the discussion and action on request for council to reconsider its actions of November 28, 2000 to follow the recommendations of Building Services Department regarding the property located at 8601 Roberts; by Representative Cook.

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Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.20, (Miscellaneous Street and Sidewalk Use Regulations), Section 13.20.040 (Selling Merchandise Prohibited on and near Public Rights-of-Way) to expand and clarify the prohibitions regarding selling merchandise and vehicles in and near public rights-of-way on both public and private property; and to authorize impoundment of the merchandise and vehicles; and to repeal Section 13.20.050 (Stands Prohibited); the penalty being as provided in Section 13.20.040 of the El Paso Municipal Code.
- B. An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.010 (Sales of Goods and Services); to clarify the provisions which prohibit sales of goods within parks; the penalty being as provided in Sections 1.08.010 -1.08.030 of the El Paso Municipal Code.
- C. An Ordinance amending Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments), Section 9.12.010 (Definitions); to amend the definition of outdoor market; the penalty being as provided in Section 9.12.890 of the El Paso Municipal Code.
- D. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.08 (Administration and Enforcement), Section 12.08.220 (Impounding Vehicles) to add additional circumstances for the impoundment of vehicles; the penalty being as provided in Sections 1.08.010 to 1.08.030 of the El Paso Municipal Code.
- E. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping and Standing and Parking Generally), Section 12.44.090 (Parking Prohibited for Certain Purposes); to delete a duplicate provision relating to the parking of vehicles on roadways; the penalty being as provided in Sections 1.08.010 - 1.08.030 of the El Paso Municipal Code.
- F. An Ordinance amending Title 5 (Business Taxes, Licenses and Regulations), Chapter 5.100 (Vendors and Solicitors), Section 5.100.095 (where vending or soliciting may be conducted within the City); to delete a reference to a repealed section of the code; the penalty being as provided in Section 5.100.100 of the El Paso Municipal Code.
- G. An Ordinance to amend Title 12 (Vehicles and Traffic), to create Chapter 12.46 (Mobile Food Vendors), Section 12.46.010 (Definitions); Section 12.46.020 (Mobile Food Vending Regulations); and Section 12.46.030 (Vehicle Requirements and Inspections) to define and impose sales and safety regulations for the operation of mobile food vending vehicles; and to amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.20 (Miscellaneous Street and Sidewalk Use Regulations), Section 13.20.040 (Selling Merchandise Prohibited on and Near Public Right-of-Way) to repeal Subsection B--the provisions pertaining to mobile food vendors. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.

- H. An Ordinance to amend Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments), Section 9.12.040 (Permit - Application - Issuance Approval) to require inspection of flashing lights on mobile food vending vehicles. The penalty being as provided in Section 9.12.890 of the El Paso Municipal Code.
- I. An Ordinance to amend Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments), Section 9.12.030 (Permit - Application - Contents) and Section 9.12.080 (Suspension - Notification); to require operators of mobile food vending vehicles to successfully undergo a vehicle safety inspection as part of the food establishment permitting process and to authorize the Health Authority to suspend permits for the failure to obtain timely inspections. The penalty being as provided in Section 9.12.890 of the El Paso Municipal Code.
- J. An Ordinance approving Class Settlement in a suit styled *Cities of Mercedes and Weslaco (formerly Pharr), individually, and as Rule 42 Class Representatives on Behalf of Themselves and All Other Similarly-Situated Entities v. Rio Grande Valley Gas Co., Southern Union Company, d/b/a Southern Union Gas*, Cause No. C-4558;-95-G-2, authorizing City Officials to take all steps necessary to effectuate settlement, adopting judgment of the court, authorizing Southern Union Gas to increase cost of gas rates for customers inside the City and providing for severability.
- K. An Ordinance granting a Special Privilege to Six Flags Events, to temporarily close portions of Mills Avenue, Ochoa Street and Virginia Street for the Fiesta Del Sol Street Festival from May 22, 2001 through May 29, 2001. *Consideration: \$600.00, SP-01008 (District 8)*
- L. An Ordinance permitting Cecilia Henric to use a portion of Mission Hills Park from 1:00 PM until 6:00 PM on May 19, 2001 for a birthday party. Fee: \$70.00 **(District 1)**

PUBLIC HEARING WILL BE HELD ON MAY 15, 2001 FOR ITEMS A - L

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Donation Agreement accepting a gift for the El Paso International Airport.

"Fort Bliss" mural donated by the U.S. Army Air and Missile Defense Center to the El Paso International Airport valued at approximately \$5,000.00. The mural is 6' by 18' and is made of canvas and mounted to a wooden frame.

Colonel Barry Cardwell, Chief of Staff at Fort Bliss, addressed Council Members. He stated that there are great young Americans who are willing to wear the uniform of this Country and serve wherever their Country sends them. He urged everyone not to forget these great young Americans. He thanked Council

for their support. He added on behalf of Commanding General Stan Gray, the soldiers, family members and civilians of Fort Bliss that they would like to donate a mural to the City. The mural will hang at the El Paso International Airport directly across from the University of Texas at El Paso mural to pay tribute to those who serve their Country. He displayed a rendition of the mural and explained the contents. He stated, "It's a great day to be a soldier".

Mr. Pat Abeln, Director of Aviation, thanked the United States Army for the mural. He explained that when people arrive and depart from our great City they will see a lot of the City's great institutions. He stated that the Airport greatly appreciates the donation.

Motion made, seconded and carried to approve the above Resolution.

.....
Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried that the arrangements for correction proposed by D.J. Contractors, Inc. in response to the Notice of Intent to Terminate Contract by and between the City of El Paso and D.J. Contractors, Inc. for the Air Cargo Infrastructure Project are not found to be satisfactory.

Ms. Sylvia Firth, Assistant City Attorney, explained the history of D.J. Contractors, Inc. with regard to the Air Cargo Infrastructure Project to Council Members.

Mr. Frank Ainsa, attorney for D.J. Contractors, explained D.J. Contractors' proposals to Council Members regarding the contract for the Air Cargo Infrastructure Project.

Ms. Firth responded to Mr. Ainsa's comments. She stated that the City Attorney's office has serious issues with regard to the proposals made by Mr. Ainsa.

Representatives Sariñana and Escobar made comments.

Mr. Ainsa responded to comments made by Representative Sariñana and Representative Escobar. He made comments regarding the bonding company and D.J. Contractors, Inc.

Ms. Firth clarified the Motion language for Council Members.

Mr. Pat Abeln, Director of Aviation, stated that Ms. Firth has been very eloquent in her argument and her definition of the reasons why she finds the proposal, as submitted, to be not satisfactory.

.....
***RESOLUTION**

WHEREAS, the City of El Paso, Texas ("the City"), and the County of El Paso, Texas ("the County"), established a Joint Revolving Loan Fund ("the Joint RLF") to be administered by Chase Bank of Texas, N.A. "Chase Bank"), utilizing funds available under the U.S. Department of Commerce, Economic Development Administration ("EDA") Section 209 Economic Adjustment Program, and as provided by the Texas Department of Housing and Community Affairs ("TDHCA"), respectively; and

WHEREAS, the Joint RLF was established pursuant to the terms of an Interlocal Agreement, dated May 16, 2000, between the City and the County, and a Revolving Loan Fund Program Agreement, dated May 16, 2000, among the City, the County, and Chase Bank; and

WHEREAS, the parties desire to amend the Program Agreement in certain respects;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the First Amended Revolving Loan Program Agreement between and among the City of El Paso, the County of El Paso, Chase Bank of Texas, N.A., and the additional participating lenders, to establish a Joint Revolving Loan Fund ("RLF") to be administered by Chase Bank of Texas, N.A., as Program Operator. The RLF Program will utilize funds provided by the U.S. Department of Commerce Economic Development Administration ("EDA") and the Texas Department of Housing and Community Affairs ("TDHCA") to provide financing for businesses expanding in or relocating to El Paso. Revisions to the Program Agreement shall include participation in the RLF Program by additional lending institutions, future assumption of Program Operator responsibilities by such lending institutions, and changes to application and reporting procedures to ensure compliance with EDA and TDHCA requirements.

.....
*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign the Revolving Loan Program Agreement among the City of El Paso, the County of El Paso, and Chase Bank of Texas, N.A., to establish a Revolving Loan Fund to be administered by Chase Bank of Texas, N.A., which will utilize funds provided by the U.S. Department of Commerce Economic Development Administration and the Texas Department of Housing and Community Affairs to provide financing for businesses expanding in or relocating to El Paso.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services between the **CITY OF EL PASO** and **Moreno Cardenas Inc.**, for a project known as **"Kimberly Heights Street and Drainage Improvements"** for an amount not to exceed \$307,675.00.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Architectural Services between the **CITY OF EL PASO** and **ARTchitecture I dba ARTchitecture**, for a project known as **"Lower Valley Park Improvements"** for an amount not to exceed \$89,435.00.

.....
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor is authorized to sign an Amendment to Agreement to Provide Professional Consulting Services between the City and Thomas C. DeWard for analysis of Time Warner Communications basic cable rate adjustment and report to City Council.

Ms. Rita Rodriguez, First Assistant City Attorney, explained that the Cable Commission and Council Members have requested Mr. DeWard to be present for meetings and this Resolution would provide for Mr. DeWard's travel for these meetings.

Representative Sumrall stated she is concerned with Mr. DeWard's comments on his report.

Representative Sariñana questioned who hired Mr. DeWard.

Ms. Nan Williams, Assistant City Attorney, explained the past accomplishments of Mr. DeWard for Council Members.

Ms. Judy Maddox, Chairman of the Cable Communications Commission, explained that the Commission was advised to hire a professional. She expounded on Mr. DeWard's resume and the process of his being hired by the City. She asked that Council Members wait to hear the recommendation from Mr. DeWard before making any decisions. She explained the process regarding procuring paperwork from Time Warner.

Representative Sariñana asked Ms. Williams if she had read the response from Time Warner. He also asked Ms. Suzanne Patten, Vice President of Public Affairs for Time Warner Communications, questions regarding providing documents to Mr. DeWard.

Ms. Williams responded to Representative Sariñana's concern.

Ms. Patten responded to Representative Sariñana's comments regarding cooperating with Mr. DeWard and providing the documents requested by Mr. DeWard. She clarified that Time Warner is not subject to the Public Utility Commission. She explained that Time Warner is regulated under the Basic Cable service by the City and nothing else.

Motion made by Representative Sumrall, seconded by Representative Hernandez and unanimously carried to approve the above Resolution.

***RESOLUTION**

WHEREAS, the City Council on February 20, 2001, authorized the Mayor to sign a Consent to Assignment from TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPED (TIBH), and TASK MASTERS, a division of LIFE MANAGEMENT CENTER to TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), and BORDER TM INDUSTRIES, a division of LIFE MANAGEMENT CENTER, with respect to the City of El Paso's Contracts Nos. 0071-96, 0072-96, and 0073-96 to provide specified maintenance services for the Parks and Recreation Department; and

WHEREAS, BORDER TM INDUSTRIES is not a division of LIFE MANAGEMENT CENTER;

BE IT RESOLVED BY THE CITY OF EL PASO:

That the Mayor be authorized to sign a corrected Consent to Assignment from TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), and TASK MASTERS, a division of LIFE MANAGEMENT CENTR to TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), and BORDER TM INDUSTRIES, INC., with respect to the City of El Paso's Contracts Nos. 0071-96, 0072-96, and 0073-96 to provide specified maintenance services for the Parks and Recreation Department.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a State Use Contract between the CITY OF EL PASO, TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), and BORDER T.M. INDUSTRIES, INC., to provide plant care, cleaning services and maintenance for the **EL CORREDOR AREA** of Downtown El Paso Mondays through Sundays in the amount of \$394,429.17 for the period from December 16, 2001 through December 15, 2004. This Contract is subject to Civil Service Commission approval.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a State Use Contract between the CITY OF EL PASO, TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), and BORDER T.M. INDUSTRIES, INC., to provide specified maintenance services for the Parks and Recreation Department for **PARK SITES** in the amount of \$954,792.01 for the period from December 16, 2001 through December 15, 2004. This Contract is subject to Civil Service Commission approval.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a State Use Contract between the CITY OF EL PASO, TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), and BORDER T.M. INDUSTRIES, INC., to provide specified maintenance services for the Parks and Recreation Department for **RESTROOMS** in the amount of \$100,708.37 for the period from December 16, 2001 through December 15, 2004. This Contract is subject to Civil Service Commission approval.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a State Use Contract between the CITY OF EL PASO, TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), and BORDER T.M. INDUSTRIES, INC., to provide specified maintenance services for the Parks and Recreation Department for **SPECIAL AREAS** in the amount of \$198,916.17 for the period from December 16, 2001 through December 15, 2004. This Contract is subject to Civil Service Commission approval.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a State Use Contract between the CITY OF EL PASO, TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), and BORDER T.M. INDUSTRIES, INC., to provide specified maintenance services for the Parks and Recreation Department for **5th ADDITIONAL DAY/WEEKEND** in the amount of \$490,459.92 for the period from December 16, 2001 through December 15, 2004. This Contract is subject to Civil Service Commission approval.

*Motion made, seconded and unanimously carried to award Bid No. 2001-163 Chemical Spray Truck

Award to : Casa Ford
El Paso, TX
Item(s): 1 with optional items O1, O2, O3, O4, O6
Amount: \$51,303.50
Department: Street
Funds available: 102008-208006-540008
Funding Source: FY1998 Contractual Obligations
Total amount: \$51,303.50

The Equipment Maintenance, Street, and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. A lower bid was received, but did not meet specifications, as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Chemical Spray Truck. There is no option to purchase additional quantities. No prompt payment discount is offered.

.....
*Motion made, seconded and unanimously carried to approve the request of Sara Armendariz, M.D. to block off Byron between Mountain and McKinley on May 5, 2001 from 12:00 noon. to 11:59 p.m. for a block party. Approximately 20 persons will participate. This request includes permission to use amplification. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 01-051

Revised to correct applicant's name to "Sara Armendariz, M.D."

.....
Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. David Alvidrez, 01-C-072 (551.071)
- B. Rebecca Baca, 01-COL-004 (551.071)
- C. TNRCC Docket No. 2001-0099-AIR-E

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
Motion made by Representative Medina, seconded by Representative Cook and carried that claim entitled **DAVID ALVIDREZ V. CITY OF EL PASO; 01-C-072** be **SETTLED** as recommended by the City Attorney.

.....
Motion made by Representative Medina, seconded by Representative Cook and carried that the claim be **SETTLED** as recommended by the City Attorney and that the Mayor be Authorized to sign the Release in the claim entitled **REBECCA BACA; Our File No. 01-COL-004**.

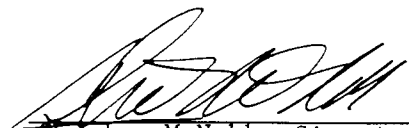
.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to postpone one week TNRCC Docket No. 2001-0099-AIR-E

.....
Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to adjourn this meeting at 12:40 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter


Charles McNabb, City Attorney